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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ROCKET DOG BRANDS, LLC, a
Delaware limited liability company,
Plaintiff,
v.

GMI CORPORATION, a New York
corporation,
Defendants.

CASE NO. C12-4643 SI

**SARAH E. BARROWS DECLARATION
IN SUPPORT OF DEFENDANT'S *EX*
PARTE APPLICATION FOR AN
EXTENSION OF TIME TO RESPOND
TO DISCOVERY DUE JULY 1, 2013**

1 I, Sarah E. Barrows, declare as follows:

2 1. I am an attorney duly licensed to practice in the state of California and the state of
3 New York. I am an attorney at Greenberg Traurig LLP, and counsel for defendant GMI USA Corp.
4 (“GMI” or “Defendant”). I have personal knowledge of the facts stated in this declaration, and if
5 called upon to do so, could and would competently testify thereto. I make this declaration in support
6 Defendant’s *Ex Parte* Application For An Extension Of Time To Respond To Discovery Due July
7 01, 2013. Before filing this *ex parte* application, I sought a short extension to respond to discovery
8 propounded by Rocket Dog Brands, LLC (“Rocket Dog”). Counsel for Rocket Dog refused to grant
9 any extension of time to respond to the discovery due July 1, 2013.

10 2. Immediately following the parties May 22, 2013 settlement conference with
11 Magistrate Judge Vadas, I made several attempts to schedule a conference with Rocket Dog. The
12 parties were finally able to speak on June 7, 2013 and Garner Weng and Christopher Walers, counsel
13 for Rocket Dog, explained they believed settlement was reasonably possible and indicated they
14 would be interested in further information from GMI that would it support its settlement position.

15 3. A true and correct copy of the email chain between counsel for GMI and counsel for
16 Rocket Dog between June 11 and June 26 is attached hereto as Exhibit 1.

17 4. A true and correct copy of the email chain between counsel for GMI and counsel for
18 Rocket Dog between June 11 and June 21 is attached hereto as Exhibit 2.

19 5. A true and correct copy of the email chain between counsel for GMI and counsel for
20 Rocket Dog between June 11 and June 24 is attached hereto as Exhibit 3.

21 6. A true and correct copy of the email chain between counsel for GMI and counsel for
22 Rocket Dog between June 11 and June 26 is attached hereto as Exhibit 4.

23 7. I was travelling to New York on June 24-June 26, 2013, but made several attempts to
24 contact both Christopher Walters and Garner Weng. I left voicemails with both Messers. Walters and
25 Weng to explain that GMI needed a short stay of discovery in order to provide accurate and
26 substantive discovery responses.

1 8. On June 28, 2013 I was back in San Francisco and again made several attempts to
2 contact Messers. Walters and Weng. I finally reached Mr. Walters by telephone around 1:00 p.m.
3 Pacific Time and explained that I could not confer with my client before the July 1, 2013. At nearly
4 5:00 p.m. on Friday June 28, 2013 Mr. Walters informed me he could not grant any extension of time
5 to respond to the discovery due Monday July 1, 2013 . I promptly contacted Judge Illston's chambers
6 and was advised to file an *ex parte* motion for an extension to respond to discovery.

7 I declare under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct and that this declaration was executed on this 28h day of June, 2013, at
9 San Francisco, CA.

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12 DATED: June 28, 2013

GREENBERG TRAURIG, LLP

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14 By: /s/ Sarah Barrows
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